

10/01/2020

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Fairfield Sentry Limited (In Liquidation), et al., acting by and through the Foreign Representatives thereof, and Kenneth Krys and Greig Mitchell solely in their capacities as Foreign Representatives and Liquidators thereof

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER
King & Spalding LLP, 1185 Avenue of the Americas, New York, NY 10036
Tel: 212-556-2100

DEFENDANTS

National Bank of Kuwait S.A.K. and NBK Banque Privee (Suisse) SA

ATTORNEYS (IF KNOWN)

Richard A. Cirillo

**CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)**

28 U.S.C. § 158(a) - Appeal from U.S. Bankruptcy Court Orders (Adv. Pro. No. 10-3635 (CGM))

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned
Broderick

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date & Case No. 19-cv-3911

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

NATURE OF SUIT

(PLACE AN [x] IN ONE BOX ONLY)

TORTS

ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/			[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	[] 625 DRUG RELATED	[] 422 APPEAL	[] 376 QUI TAM
[] 130 MILLER ACT	LIAIBILITY	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[] 400 STATE
[] 140 NEGOTIABLE INSTRUMENT	[] 320 ASSAULT, LIBEL & SLANDER	[] 365 PERSONAL INJURY	21 USC 881	[] 423 WITHDRAWAL	REAPPORTIONMENT
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	[] 410 ANTITRUST
[] 151 MEDICARE ACT	[] 340 MARINE	[] 368 ASBESTOS PERSONAL INJURY			[] 430 BANKS & BANKING
[] 152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	[] 345 MARINE PRODUCT LIABILITY	PROPERTY RIGHTS			[] 450 COMMERCE
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 350 MOTOR VEHICLE	[] 820 COPYRIGHTS	[] 880 DEFEND TRADE SECRETS ACT		[] 460 DEPORTATION
[] 160 STOCKHOLDERS SUITS	[] 355 MOTOR VEHICLE	[] 830 PATENT			[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 190 OTHER CONTRACT	[] 360 OTHER PERSONAL INJURY	[] 370 OTHER FRAUD	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		[] 480 CONSUMER CREDIT
[] 195 CONTRACT PRODUCT LIABILITY	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 371 TRUTH IN LENDING	[] 840 TRADEMARK		[] 485 TELEPHONE CONSUMER PROTECTION ACT
[] 196 FRANCHISE	ACTIONS UNDER STATUTES	[] 380 OTHER PERSONAL PROPERTY DAMAGE		SOCIAL SECURITY	
	CIVIL RIGHTS	[] 385 PROPERTY DAMAGE	LABOR		
		PRODUCT LIABILITY	[] 710 FAIR LABOR STANDARDS ACT	[] 861 HIA (1395ff)	[] 490 CABLE/SATELLITE TV
			[] 720 LABOR/MGMT RELATIONS	[] 862 BLACK LUNG (923)	[] 850 SECURITIES/ COMMODITIES/ EXCHANGE
		PRISONER PETITIONS	[] 740 RAILWAY LABOR ACT	[] 863 DIWC/DIWVW (405(g))	[] 890 OTHER STATUTORY ACTIONS
		[] 463 ALIEN DETAINEE	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	[] 864 SSID TITLE XVI	[] 891 AGRICULTURAL ACTS
		[] 510 MOTIONS TO VACATE SENTENCE	[] 790 OTHER LABOR LITIGATION	[] 865 RSI (405(g))	[] 893 ENVIRONMENTAL MATTERS
		28 USC 2255	[] 791 EMPL RET INC SECURITY ACT (ERISA)	[] 870 TAXES (U.S. Plaintiff or Defendant)	[] 895 FREEDOM OF INFORMATION ACT
				[] 871 IRS-THIRD PARTY	[] 896 ARBITRATION
				26 USC 7609	[] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
		[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)			[] 950 CONSTITUTIONALITY OF STATE STATUTES
REAL PROPERTY			IMMIGRATION		
[] 210 LAND CONDEMNATION	[] 441 VOTING				
	[] 442 EMPLOYMENT	PRISONER CIVIL RIGHTS			
	[] 443 HOUSING/				
[] 220 FORECLOSURE	ACCOMMODATIONS	[] 462 NATURALIZATION APPLICATION			
[] 230 RENT LEASE & EJECTION	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 550 CIVIL RIGHTS			
[] 240 TORTS TO LAND		[] 555 PRISON CONDITION	[] 465 OTHER IMMIGRATION ACTIONS		
[] 245 TORT PRODUCT LIABILITY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT			
[] 290 ALL OTHER		[] 448 EDUCATION			
	REAL PROPERTY				

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ OTHER JUDGE Hon. Vernon S. Broderick DOCKET NUMBER 19-cv-391

Check YES only if demanded in complaint

JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
			<input type="checkbox"/> a. all parties represented			
			<input type="checkbox"/> b. At least one party is pro se.	<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)		

(PLACE AN x IN ONE BOX ONLY)

1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	[] 1	PTF	DEF	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[] 3	PTF DEF	[] 5	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF	DEF
CITIZEN OF ANOTHER STATE	[] 2	[] 2		INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4	[] 4		FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Fairfield Sentry Limited (In Liquidation), Fairfield Sigma Limited (In Liquidation), and Fairfield Lambda Limited (In Liquidation), acting by and through the Foreign Representatives thereof, and Kenneth Krys and Greig Mitchell solely in their capacities as Foreign Representatives and Liquidators thereof, c/o Selendy & Gay PLLC, David Elsberg, Esq., 1290 Avenue of the Americas, New York, NY 10104, Telephone: 212-390-9000, and Brown Rudnick LLP, David J. Molton, Esq., 7 Times Square, New York, [+](#)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

National Bank of Kuwait S.A.K. and NBK Banque Privee (Suisse) SA, c/o King & Spalding LLP, 1185 Avenue of the Americas, New York, NY 10036 Tel: 212-556-2100

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Not applicable

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE 03/30/2021
/s/ Richard A. Cirillo
SIGNATURE OF ATTORNEY OF RECORD
RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT
[] NO
[x] YES (DATE ADMITTED Mo.March Yr. 1976)
Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)